

REMARKS

Claims 1 and 4-53 are pending. Claim 1 has been amended to clarify that the claimed nuclear matrix proteins (NMPs) have particular molecular weights and pI values, support for which is found on page 26 of the present specification. Claims 2 and 3 have been canceled. Claims 48-53 have been added to cover the particular NMPs recited in amended claim 1. No new matter would be introduced by these amendments.

In view of the foregoing amendments and the following remarks, favorable reconsideration is courteously solicited.

Claims 1, 3, 16, 17, 21, and 40-43 have been rejected under 35 U.S.C. 102(b) as anticipated by Coffey. Claims 1-2, 16, 17, and 21 have been rejected under 35 U.S.C. 102(b) as anticipated by Miyana. Reconsideration of the rejections is respectfully requested.

Coffey's PC-1 has a molecular weight of 56 kDa and a pI of 6.58. None of the presently claimed NMPs are taught or suggested by Coffey's PC-1. The closest claimed NMP may be RCCA-1, which has a similar molecular weight, but the pI value of RCCA-1 (9.30) is markedly different.

Miyana discloses a nuclear matrix protein with a molecular weight of 100 kDa. The only claimed NMP with a molecular weight that is even remotely similar is RCNL-1, but this NMP is found in normal renal cells, not in cancerous renal cells. Miyana's NMP exhibits precisely the opposite pattern – it is associated with cancerous cells.

Accordingly, withdrawal of the rejections under 35 U.S.C. 102 is requested.

Claims 1-3, 16, 17, 21, and 40-43 have been rejected under the first paragraph of 35 U.S.C. 112 for lack of enablement. Reconsideration of the rejection is respectfully requested.

Instant claim 1 has been amended to recite the particular NMPs disclosed on page 26 of the present specification and to cover the antigenic fragments of those proteins. The present specification describes in ample detail how to make and use these NMPs, as well as their antigenic fragments.

Accordingly, withdrawal of the rejection under the first paragraph of 35 U.S.C. 112 is requested.

In accordance with the foregoing, favorable reconsideration and allowance of the claims are requested. Should there be any questions or should the Examiner wish to discuss any proposal to expedite prosecution, the Examiner is invited to contact the undersigned representative at the telephone number shown below.

Respectfully submitted,

Oct. 17, 2000
Date

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Should there be any deficiency in fees in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.